

IDAHO Supreme Court

JUDICIAL/ADMINISTRATIVE NEWS

JUNE 2006



(Left to right) Rep. Rich Wills with Carolyn Hardin, Deputy Director of the National Drug Court Institute, and Chief Justice Schroeder.

Professionals Enhance Skills

Drug Court and Mental Health Court professionals received additional training at the Idaho Conference on Alcohol and Drug Dependency (ICADD) May 15-18 at Boise State University. About 700 people attended the four-day event, which included the 5th Annual Drug Court Institute and the 1st Mental Health Court Institute. It was part of Idaho's commemoration of National Drug Court Month in May.

Chief Justice Gerald Schroeder presented the Drug Court Leadership Award to Representative Rich Wills of Glenns Ferry in recognition of his efforts in the Idaho legislature on behalf of the Drug Court and the Mental Health Court, and for his continuing membership on the coordinating committee for the Courts. Norma Jaeger, Statewide Drug Court and Mental Health Court Coordinator, said Representative Wills attended the conference unaware that he would be honored, and was surprised by the recognition. Last year, the award was given to Senator Denton Darrington of Declo and Representative Debbie Field of Boise.

Justice Daniel Eismann presented an award to Janette Day, Ada County Drug Court Treatment Supervisor, for her longtime dedication to providing exceptional Drug Court treatment in Idaho.

Skills development courses and other sessions at the conference permitted in-depth study of specific subjects relating to treatment, assessment, and supervision of offenders with concurrent psychiatric or substance abuse disorders. This year marked the 22nd year ICADD has held the event, which annually provides Drug Court and Mental Health Court specialists an opportunity to enhance their professional skills and collaborate on hot topics in their fields.

Website Offers Help with Court Forms

For many people, filling out simple court forms without legal advice can often lead to errors. Under the direction of Ada County Magistrate Judge Michael Dennard, the Court Assistance Project aims to reduce the mistakes people make in filling out court forms by providing a website that guides them through the process.

Idahoans seeking to represent themselves in many non-criminal court cases can access the forms through the Idaho Legal Aid Society website and the Idaho State Judiciary website. Idaho courts and Legal Aid partnered to develop the technology effort, which was unveiled on Law Day, May 1.

The Idaho Statesman covered the new technology and you can find the complete article at:

<http://www.idahostatesman.com/apps/pbcs.dll/article?AID=/20060428/NEWS02/604280371&SearchID=73243649968904>

The Role of the Interpreter

From the article written by Janica Bisharat, Program Manager for the Court Interpreter Training and Certification Program

A court interpreter serves as a language conduit between an English speaking person and non-English speaking person in court proceedings. In other words, the interpreter renders a complete and accurate interpretation or translation of oral statements. A court interpreter is considered an officer of the court and must always remain neutral in his or her role.

Orientation workshops are held annually to educate new and prospective interpreters about the proper role of the court interpreter, as well as the professional code by which they are bound. In 1998, the Idaho Supreme Court adopted the Code of Professional Responsibility for Interpreters in the Judiciary to define the careful responsibilities of the court interpreter. A copy of the Order can be found at: <http://www.isc.idaho.gov/intercod.htm>

Judges, attorneys and other court personnel also benefit from becoming familiar with this professional code. By doing so, they can avoid asking an interpreter to operate outside of his or her strictly defined role, as outlined in the code. While it isn't intentional, court interpreters occasionally are asked to perform a function outside their scope of practice.

The Supreme Court's Court Interpreter Committee is working to finalize a program policy manual that will address how violations of the professional code will be handled. Questions about violations of the professional code should be reported either to the local trial court administrator or to Janica Bisharat at (208) 947-7417.



Howard Receives Award

Viki Howard, statewide coordinator for Children & Families in the Courts, received the 2006 Public Sector Recognition Award at the Two Days in June conference presented by the Idaho Council on Domestic Violence and Victim Assistance. The award acknowledges outstanding service by a criminal justice agency, office or individual exhibiting excellence in several areas while implementing or maintaining resources for victims of crime. "We are so glad Viki got it," said Diane Blumel, ICDVVA Executive Director. "She is very deserving of the Public Sector Recognition Award."

The June event in Boise was designed to assist all individuals who have an interest in crime victimization, Blumel said. The conference brought together people from various backgrounds and provided a forum for topics involving crime victims and victimization. It also featured a separate track for batterer treatment and treatment evaluation. About 250 people attended the 13th annual conference. Idaho Attorney General Lawrence Wasden presented a video which will educate parents about the potential danger to their children from sexual predators on the Internet. "This truly was the best year we've had," Blumel said. "We were so excited about the speakers we had."

Blumel said that the Idaho courts have been "tremendously supportive" of ICDVVA. "The Supreme Court here is so amazing," she said. "They are very receptive to issues that impact crime victims."

Nominations Open for Kramer and Granata Awards

Nominations are now open for the 2006 Douglas C. Kramer Award and the 2006 George G. Granata, Jr. Professionalism Award.

The Kramer Award, named in honor of the late District Judge Douglas C. Kramer, is awarded annually to the person who best exemplifies excellence in judicial administration, by character and action. The George G. Granata, Jr. Professionalism Award, named in honor of the late District Judge George G. Granata, Jr., is awarded annually to the trial judge who best exemplifies the professionalism evidenced by Judge Granata during his more than 20 years of judicial service.

All judicial employees are eligible for the Kramer Award, whether or not they are state employees. Anyone performing a full-time court function is eligible, except members of the Supreme Court. Any judicial employee may nominate any other judicial employee in the Idaho Court system.

All magistrate, district, and senior judges are eligible for the Granata Award. Any judicial employee or member of the Idaho State Bar may nominate a sitting or senior district or magistrate judge in the Idaho Court System.

Nominations for both awards must be submitted by Aug. 18, 2006 and should be sent to:

Kramer Award/Granata Award Selection Committee
Hon. Jim Jones, Chair,
P.O. Box 83720
Boise, ID 83720-0101

Nominations also may be faxed to:

(208) 947-7590

or e-mailed to:

tgriffiths@idcourts.net

Nomination and selection guidelines for both awards are available at:
<http://www.isc.idaho.gov/links/2006%20%20Nominations%20Open%20Memo.doc>

New Governor Sworn In

Chief Justice Gerald Schroeder administered the oath of office when Governor Jim Risch became Idaho's 31st governor on June 2 in Boise. All five justices of the Idaho Supreme Court were among a large crowd of dignitaries at the inauguration. For more on the inaugural ceremony as reported in the Idaho Statesman, visit:

<http://www.idahostatesman.com/apps/pbcs.dll/article?AID=/20060603/NEWS01/606030324&SearchID=73247029727522>

Two Districts Start Family Violence Courts

Three new family violence courts are in the initial phase of implementation in the 6th Judicial District's Bannock County and the 7th Judicial District's Bonneville and Bingham counties. The family violence courts are funded by a grant awarded to the Idaho Supreme Court from the U.S. Department of Justice and the Office of Violence Against Women.

The grant also provides for collaboration with the Idaho Coalition Against Sexual and Domestic Violence to develop a statewide coordinated community response to domestic and sexual violence. The coordinated community response will bring together government and non-governmental agencies from several disciplines throughout Idaho that have experience with domestic violence issues.

Two family violence court case managers, including Shelley Carson, have been hired to work with the courts and provide victim referrals and services in Bonneville and Bannock counties. Carson joins the Supreme Court offices as the Statewide Domestic Violence Resource Coordinator. She has a Masters degree in Couple and Family Counseling from Idaho State University. For the past two years, Carson has been facilitating domestic violence and adult sex offender groups for SANE Solutions in Boise. She is also a child custody mediator.

For more information about family violence courts or the coordinated community response efforts, please contact:

Shelley Carson at (208) 830-3379; e-mail: shelcarson@juno.com or

Viki Howard at (208) 830-4329; e-mail: vikih1@cablone.net

Contested Election Results Official

District Judge – District 1

Rami Amaro: 8,075 votes, 35 percent

John Mitchell: 15,137 votes, 65 percent

District Judge – District 7

DaLon Esplin: 7,883 votes, 30 percent

James C. Herndon: 9,063 votes, 35 percent

Darren B. Simpson: 9,288 votes, 35 percent

(Resulting in November run-off between
Judge Herndon and Mr. Simpson)

For complete election results, go to the Secretary of State's homepage at: <http://www.idsos.state.id.us> Official judicial election results for all seven districts are available at: http://www.idsos.state.id.us/elect/RESULTS/2006/primary/cnty_contest_distjdg.htm

Primary Election Results -- Clerks of the District Court

County

Current Clerk

New Clerk/2007

Adams

Mike Fisk

Sherry Ward

Bannock

Dale Hatch

November Election

Benewah

Kay Sather – retired

Michele Reynolds

Blaine

Marsha Reiman – retired

Jolyn Drage

Boise

Rora Canody

November Election

Bonner

Marie Scott

Kathrynn Fiest

Canyon

Nole Hales – retired

William Hurst

Caribou

Edie Bush

Veda Mascarenas

Clark

Connie Owen

Lisa Black

Custer

Ethel Peck

Barbara Breedlove

Elmore

Gail Best – retired

November Election

Gem

Susan Howard – retired

Shelly Atkinson

Gooding

Helen Edwards – retired

Denise Gill

Jerome

Cheryl Watts – retired

Michelle Emerson

Valley

Lee Heinrich – retired

Archie Banbury

source: Idaho Association of Counties website





Court Goals Updated

Idaho Courts Mission Statement

As recommended by the Administrative Conference on April 21, 2006, and approved by the Supreme Court on May 24, 2006..

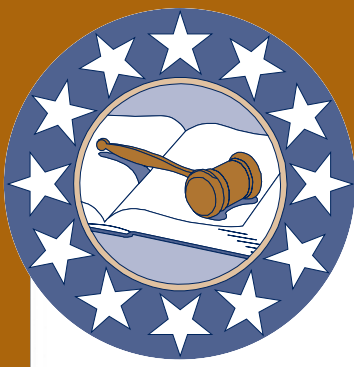
**Provide equal access to justice, promote excellence in service,
and increase the public's trust and confidence in the Idaho courts.**

GOAL 1 INCREASE ACCESS AND SERVICE TO THE PUBLIC

- Enhance and expand Court Assistance Office services.
- Increase public awareness of Court Assistance Office services.
- Continue the development of interactive court forms in English and Spanish on a redesigned Court Assistance Office website.
- Expand the recruitment, training and certification of court interpreters, and increase the availability and use of certified Spanish language interpreters.
- Complete the implementation of the criminal ISTARS in the Ada County criminal justice system.
- In partnership with the Idaho State Bar, develop options for legal representation for persons of limited means where legal representation is desirable.
- Provide public access to appropriate court information by way of the Internet and develop written policies governing access.
- Accept Internet payment of fines, fees, and court costs.

GOAL 2 IMPROVE THE FAST AND FAIR RESOLUTION OF COURT CASES

- Enhance Family Court Services in each district to promote early, non-adversarial, and effective resolution of all cases involving children and families.
- Evaluate new and emerging research on domestic violence calendars, courts, offender treatment and victim support to improve court practices.
- Evaluate effective approaches for handling cases involving mentally ill parties.
- Increase case dispositions and shorten the time to disposition through the expanded use of senior judges, traveling judges and the use of video conferencing.
- Increase the use of ADR in district civil and criminal cases by increasing the use of mediators.
- Complete the statewide implementation of the ISTARS Child Protection, Drug Court and Mental Health Court case processing modules.
- For cases for which time standards apply, resolve 90% of those cases within the time standards.
- Develop understandable, accurate, and relevant reports for all judges, Administrative District Judges, and Trial Court Administrators, to assist judges in meeting the time standards and improving court practices.
- In the area of child protection, strengthen and support local guardian ad litem programs.



Court Goals Updated

Idaho Courts Mission Statement (cont'd)

GOAL 3 PROMOTE EXCELLENCE IN SERVICE

- Establish a comprehensive court training center for judges and court personnel from pre-employment training to orientation and mentoring, to senior judge service.
- Strengthen education and training of judges and court personnel by upgrading electronic resources, and expand technology-based instruction.
- As funding allows, expand educational programs to court reporters, court interpreters, court security officers, jury commissioners, Court Assistance Officers, misdemeanor and juvenile probation officers, juvenile detention officers, Drug Court and Mental Health Court Coordinators, Family Court Services Coordinators and other court related personnel.
- Sponsor annual multi-disciplinary training institutes, involving children and families, substance abuse, mental health, domestic violence and other social concerns confronting the judiciary.
- In partnership with the Idaho State Bar, explore establishing standards for attorneys practicing in child protection and juvenile justice courts.
- Increase awareness of the importance of using certified court interpreters, as opposed to bilingual individuals.

GOAL 4 INCREASE PUBLIC TRUST AND CONFIDENCE IN IDAHO COURTS

- Evaluate the effectiveness of community-based alternatives for juvenile offenders such as youth courts, truancy courts, drug courts, mental health courts, status offender programs, and community accountability boards.
- Expand the capacity of drug courts, mental health courts and other problem solving courts, and continue to evaluate their effectiveness.
- Update existing court security and emergency plans, including a coordinated response with appropriate governmental entities
- Encourage availability of effective sentencing alternatives statewide to reduce recidivism.
- Refine court performance evaluation systems and fully implement them to improve the responsiveness and performance of all judges and the Idaho courts.
- Contribute to state bar and legislative efforts to examine improvements to the current system of judicial selection and elections.
- Continue examination of strategies to ensure adequate funding of the judiciary.
- Continue to share automated court information among criminal justice, juvenile, child protection and other public automated information systems.
- Implement the guardianship/conservatorship pilot monitoring program in six counties, establish standards of practice for guardians and enforce court orders and annual accountings.
- Increase the public awareness of the importance of the jury system and the participation of the public in that system.



Justice Trout Champions Education

With a career marked by many “firsts,” including first woman Justice on the Idaho Supreme Court and first female Chief Justice in Idaho’s history, Idaho Supreme Court Justice Linda Copple Trout is no stranger to receiving professional praise. Especially from her colleagues on the Judicial Education Committee, Justice Trout can’t escape compliment for the innovation she brings to the table as its Chair.

“I recall that Justice Trout enthusiastically volunteered to serve as Chair (of the Judicial Education Committee) in 1994,” said Patti Tobias, Administrative Director of the Courts and member of the committee. “She’s maintained that enthusiasm throughout her tenure as Chair and has demonstrated extraordinary leadership and commitment to judicial education for Idaho’s judges.”

The Judicial Education Committee is designed to keep Idaho’s judges abreast of the latest issues in the courts. With several judicial education programs taking place each year, Idaho’s judges can collectively receive information on topics ranging from domestic violence or criminal rules to evidence or the implications of recent legislation. The committee knows if it covered the right topics or chose valuable speakers by having the judges fill out an evaluation form after each program.

Justice Trout said part of the committee’s success comes from the way education program topics are selected. In 1995, the committee sent

out a detailed survey to Idaho’s judges asking them to rate various topics according to importance. The committee reviewed a report of the survey and tailored the program topics to address the judges’ responses. The committee’s list of important topics was recently updated as the result of a new survey, Justice Trout says.

As the committee’s Chair, Justice Trout insists she does little more than the other members, “but they don’t know that,” she says with a laugh. Realistically, though, Justice Trout helps develop the agendas for the committee’s three to four meetings a year, and explores policy questions the committee may need to address, like how to implement guidelines for the amount of education judges should receive every year.

With a judicial career spanning 23 years, Justice Trout has served at all levels and in different sectors. “I’m not unique in that,” she says, but the variety in her perspective affords her the realization that education for judges is critical. Her background proves that she knows how judicial education can best be provided.

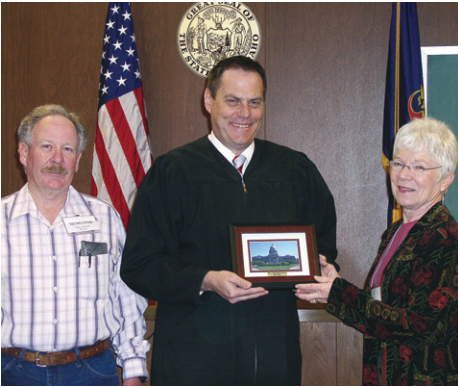
The most gratifying part about Justice Trout’s Chair position on the Judicial Education Committee is the response from judges after they attend the educational programs. “They are so appreciative,” she says. “We don’t have to force the judges to participate...They enjoy and value the educational opportunities.”

New Orders & Rule Changes

For current New Orders or Rule Changes, go to <http://www.isc.idaho.gov/rulesamd.htm>

In Re: Amendment of Idaho Criminal Rule 33.3 -May 22, 2006, effective July 1, 2006
<http://www.isc.idaho.gov/crimrul-506.htm>





(Left to right): John Haight, mediator, Judge Mark Ingram and Barbara Corwin, Small Claims Mediator Coordinator

Judge Ingram Named "Pioneer in Mediation"

Judge Mark Ingram was named a "Pioneer in Mediation" at the Idaho Mediation Association's annual conference in Boise on May 6. Pioneers in Mediation awards also went to Judge Patricia Young and Judge Roger Cockerille, both in the 4th Judicial District. Pierce Murphy, Boise City Ombudsman, and ten other professional mediators also were given awards at the event, which was hosted by the Boise State University Students in Conflict Management Services Organization. The Pioneer in Mediation award recipients were selected on the merits of their contributions to the development and implementation of mediation or conflict resolution programs.

Three years ago, Judge Ingram presented the possibility of implementing civil court mediation programs in four counties in the 5th Judicial District. He also was instrumental in the promotion of victim offender mediation and community conferencing with juveniles in Twin Falls, Blaine and Lincoln Counties. All three judges selected for the awards are outstanding examples of excellence in the judicial system, according to Linda Wright, Trial Court Administrator for the 5th Judicial District.

The success of the court programs lies in the numbers: In 2005, a group of seven

volunteers in the 5th Judicial District mediated 189 cases. During a 12-month period, 93 of those cases – nearly half – resulted in agreements. During the last six months of 2005, nearly 60 percent of the cases were settled by way of agreement. Claims involved in the mediated cases totaled about \$229,000, making mediated agreements add up to about \$86,000.

Judicial support of programs that expedite court cases, utilize available resources, and promise relief are important for the economic future of Idaho, Wright stated, and projects that support conflict resolution in any measure promote citizen solidarity and safe communities.

Judge White Recovering

Judge Boyd White, Magistrate Judge in Bannock County, is resting at home (and the courthouse) after having a heart attack at work on June 1. Judge White went to Pocatello Regional Medical Center when he began feeling ill, and received treatment at Pocatello's modern cardiac unit. Judge White says he is resting well and hopes to be back to work in about four weeks. We wish him a speedy recovery and hope that he will come back when he's good and ready!

Jerome County Opens New Judicial Annex

A ribbon cutting ceremony and open house for Jerome County's new judicial annex took place June 19. The ceremony was the highlight of a two-year project which remodeled a 32,500 square foot building which previously housed a grocery store. The space will house the Jerome County Clerk's office, Sheriff's Office, Prosecuting Attorney's Office, Adult and Juvenile Courts, and Judges' chambers.

Schedule Announced for Elmore Magistrate Position

- June 9** Application closing date
- June 30** Bar poll due
- August 9** Commission interview date

Ada Magistrate Applicants Announced

Twenty-seven applicants will be considered for the two open Magistrate Judge positions in Ada County. Interviews are scheduled for July 19.

Lamont Anderson	Boise
Michael Anderson	Boise
Kimberly Bailey	Middleton
Kevin Borger	Meridian
Lora Breen	Boise
Ann Cosho	Boise
Ronaldo Coulter	Boise
Barbara Duggan	Boise
Joseph Ellsworth	Boise
Theresa Gardunia	Boise
Cheryl George	Mutaugh
William Harrigfeld	Boise
John Hawley, Jr.	Boise
Samuel Hoagland	Boise
Amanda Horton	Boise
Rinda Just	Boise
Chris Kronberg	Boise
Jerold Lee	Meridian
Michael Lojek	St. Petersburg, FL
Mary (Molly) O'Leary	Boise
John Rumel	Boise
Tyler Smith	Meridian
Craig Steveley	Boise
Katherine Takasugi	Boise
Daniel Truscott	Boise
Colleen Zahn	Meridian
Melissa Moody	Tbilisi Republic of Georgia





Judge Gutierrez Speaks at Graduation

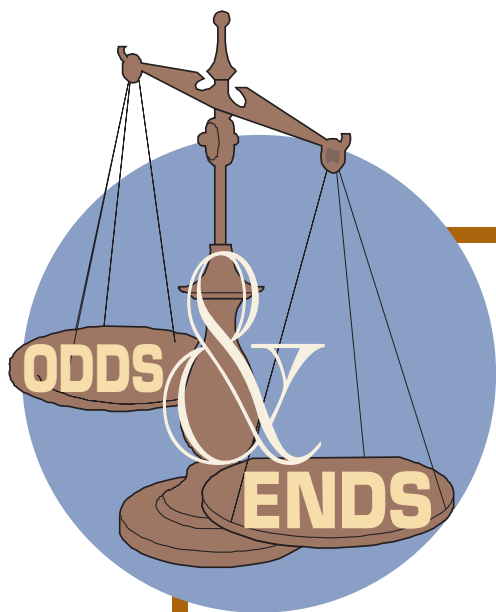
Idaho Court of Appeals Judge Sergio Gutierrez spoke to the graduates at the first Quad County Drug Court graduation on June 1 in Emmett. Seven individuals from Payette, Washington, Gem and Adams Counties were recognized.

Judge Gutierrez was joined by Senator Brad Little of Emmett and Gem County Prosecutor Tim Fleming in congratulating this year's graduates. Gutierrez, Little and Fleming have been strong advocates of Idaho's Drug Courts, according to Linda Polhemus of the Third District Drug Court.

Mark your Calendars!

Idaho's 3rd Drug Endangered Children Conference will be held Aug. 7-9 in Boise. The Idaho State Police is presenting the conference, which will detail the hazards of meth labs and introduce the roles of the judicial system, law enforcement, Idaho Health & Welfare, and medical personnel in a Drug Endangered Children case. Featured speakers include Idaho professionals who will share their successes and obstacles in protecting Idaho's children from dangers associated with illicit drug manufacturing. Presentations will also include treatment methods and programs for addicted mothers and their children, plus community involvement, underserved populations in Idaho, prevention and intervention.

For more information on the conference, visit
<http://www.isp.state.id.us/DEC/DECHome.htm>



End of Session *Sine Die* Report Available

The *Sine Die* report, a summary of legislative action during the 2006 session, is available online at:

<http://www.legislature.idaho.gov/sessioninfo/2006/sinedie.pdf>

JUDICIAL/ADMINISTRATIVE NEWS
is published by the Idaho Supreme Court.

Chief Justice Gerald F. Schroeder

Justice Linda Copple Trout

Justice Daniel T. Eismann

Justice Roger S. Burdick

Justice Jim Jones

We are very interested in your news and information. If you have or are aware of items that should be featured in a future edition of Judicial/Administrative News please let us know!

News items may be submitted for publication to Patricia Tobias:

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Thanks!



Note: For the most up-to-date Judicial Calendar,
check the Judiciary's homepage at
<http://www.isc.idaho.gov/calendar.htm>

